

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**JOHN F. PORTILLO, RAFAEL SUAREZ,
MARTIN DURAN, GERMAN BENCOSME,
EDIN VARGAS, LUIS A. HERNANDEZ,
JOSUE PAZ, and ALVARO CASTANEDA,
individually and behalf of all others similarly
situated,

Plaintiffs,

v.

NATIONAL FREIGHT, INC. and NFI
INTERACTIVE LOGISTICS, INC.,

Defendants.**

[PROPOSED] ORDER

This matter having come before the Court on Plaintiffs’ Motion to Bar Defendants from Asserting Retaliatory Counterclaims, and the Court having considered the arguments and papers submitted therewith, and for good cause shown, the Court makes the following:

ORDER

1. Plaintiffs' Motion to Bar Defendants from Asserting Retaliatory Counterclaims is **GRANTED**;
2. Defendants' indemnification provision is declared unenforceable; and
3. Defendants are hereby enjoined from asserting counterclaims on the basis of the unenforceable indemnification provision.

SO ORDERED.

Dated: _____

HON. JOSEPH H. RODRIGUEZ
UNITED STATES DISTRICT JUDGE